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13 Attorneys for Defendants,  
C&H SUGAR COMPANY, INC. and  
14 AMERICAN SUGAR REFINING, INC.

15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN FRANCISCO DIVISION**

18  
19 DAVID REY,  
20 Plaintiff,

21 v.  
22 C&H SUGAR COMPANY, INC., a Delaware  
Corporation, AMERICAN SUGAR  
23 REFINING, INC., a Delaware Corporation,  
and DOES 1-100, inclusive,  
24  
25 Defendant.

CASE NO. CV 10-01970 SI

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE PRE-TRIAL  
DATES**

26  
27 The parties hereby stipulate and agree as follows:

28 WHEREAS; the parties took longer than expected to complete the electronically stored

1 information (“ESI”) collection due to an error caused by Defendant’s third-party vendor.

2 WHEREAS; the parties have agreed to mediate this matter and would like to do so  
3 before incurring expense to prepare and oppose motions for summary judgment.

4 WHEREAS; Plaintiffs would like to complete the depositions of third-party witnesses  
5 Francine Cronin and Kim Merritt prior to participating in mediation.

6 THE PARTIES HEREBY AGREE AND REQUEST a continuance of the pre-trial dates  
7 as follows:

8 Dispositive motions:

- 9 • Filed by: August 31, 2012
- 10 • Opp. due by: September 14, 2012
- 11 • Reply due by: September 21, 2012
- 12 • Set for hearing no later than: October 5, 2012 at 9:00 a.m.

13 Non-Expert Discovery cutoff: October 8, 2012

14 Expert designation: August 17, 2012

15 Rebuttal expert designation: September 17, 2012

16 Expert discovery cutoff: October 8, 2012

17 Pretrial conference: November 5, 2012 at 3:30 p.m.

18 Jury Trial: November 19, 2012 at 8:30 a.m.

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1 DATED: June 11, 2012

GEONETTA & FRUCHT, LLP

2 By: /s/ Kenneth N. Frucht

3 Kenneth N. Frucht, Esq.

4 Frederick J. Geonetta, Esq.

Attorneys for Plaintiffs

DAVID REY

5  
6 DATED: June 11, 2012

EPSTEIN BECKER & GREEN, P.C.

7 By: /s/ Lauren M. Cooper

8 Steven R. Blackburn

9 Matthew A. Goodin

Lauren M. Cooper

10 Attorneys for Defendants,

C&H SUGAR COMPANY, INC. and  
AMERICAN SUGAR REFINING, INC.

11 **[PROPOSED] ORDER**

12 IT IS HEREBY ORDERED that the pre-trial dates are continued as follows:

13  
14 Dispositive motions:

- 15 • Filed by: August 31, 2012
- 16 • Opp. due by: September 14, 2012
- 17 • Reply due by: September 21, 2012
- 18 • Set for hearing no later than: October 5, 2012 at 9:00 a.m.

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24 Jury Trial: November 19, 2012 at 8:30 a.m.

25  
26 PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

27 Date: 6/12/12



28 JUDGE OF THE DISTRICT COURT